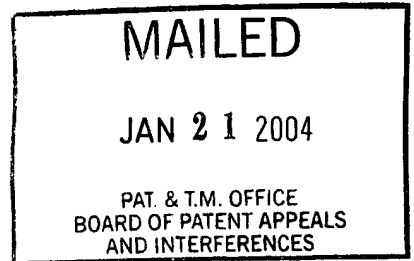


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RODNEY G. ADAMS, ALBERT LAW,
and RITA D'INGIANNI



Application No. 09/065,787

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on December 30, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On April 14, 2003, appellants filed an appeal brief (Paper No. 16). A review of the file reveals that the required fee was not charged for the appeal brief. Before further review of this file, the appeal brief fee must be applied to the appellants' account.

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In addition, an examiner's answer was mailed to the appellants on July 2, 2003 (Paper No. 17). A review of the file reveals that the examiner did not give a clear indication of the references of record that are involved in the Prior Art of Record (see prgh. 9). Only the names of the patent are given, but no Patent No. and issue date of the references of record are listed. Before further review of this application, the examiner must submit a supplemental examiner's answer that includes a detailed description of the patents involved in the Prior Art of Record section in the examiner's answer (Paper No. 17). Appropriate correction is required.

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) entry of the appeal brief (Paper No. 16) fee; 2) entry of a supplemental examiner's answer showing a detailed description of the references of record in the Prior Art of Record section; and 3) for such further action as may be appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____



Dale M. Shaw
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DMS/tdl/mh
RA04-0189